

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DALE CHRISTIAN PETERS,

No. C 11-5824 WHA (PR)

Petitioner,

**ORDER TO FILE SIGNED
AMENDED PETITION**

v.

UNITED STATES MARSHAL,

Respondent.

Petitioner filed this pro se habeas corpus petition pursuant to 28 U.S.C. 2241. He has paid the filing fee.

Petitioner has not signed either the petition or the "addendum" filed subsequently to the petition. Pursuant to Rule 11, every pleading, written motion, or other paper filed in an action shall be signed by the party's attorney or, "if the party is not represented by an attorney, shall be signed by the party." Fed. R. Civ. P. 11(a). An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the party. *Ibid.* Here, the petition has been signed by someone else on petitioner's behalf. An attorney representing petitioner may sign his papers, but the person who signed for petitioner has not indicated that he is an attorney representing petitioner. To the contrary, it appears from the petition that petitioner is representing himself in this matter, in which case another person may not submit or sign his papers for him.

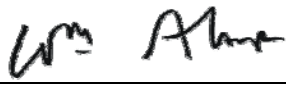
Accordingly, this action is DISMISSED with leave to file a signed amended petition

1 within **thirty (30) days** of the date this order is filed. If an attorney is representing his
2 petitioner, the attorney must so indicate on the petition. A non-attorney may not represent
3 petitioner, nor may he or she file or sign his papers on his behalf. The amended petition must
4 include the caption and civil case number used in this order (No. C 11-5824 WHA (PR)) and
5 the words AMENDED PETITION on the first page.

6 **Petitioner must include in the amended petition all the claims he wishes to present,**
7 **and he may not incorporate material from prior petitions by reference. Failure to file an**
8 **amended petition in conformity with this order shall result in the dismissal of this action.**

9 **IT IS SO ORDERED.**

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11 Dated: December 20, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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